

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ERVING MIGUEL MARTINEZ, *on behalf of himself,  
FLSA Collective Plaintiffs and the Class,*

Plaintiff,

v.

**Case No.: 1:24-cv-00352**

GAB.K, LLC  
d/b/a GABRIEL KREUTHER  
d/b/a KREUTHER HANDCRAFTED  
CHOCOLATE,  
TETON RESTAURANT GROUP, LLC,  
and GABRIEL KREUTHER,

**~~PROPOSED~~**  
**RULE 68 JUDGMENT**

Defendants.

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**WHEREAS**, pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant GAB.K, LLC (“GAB”), having offered to allow Plaintiff ERVING MIGUEL MARTINEZ (“Plaintiff”) to take a judgment against it, in the sum of Ten Thousand Dollars and No Cents (\$10,000.00), to fully and finally resolve all of Plaintiff’s individual wage and hour claims against GAB and all other Defendants, including under the Fair Labor Standards Act and the New York Labor Law and all of Plaintiff’s claims for interest, as set forth or could have been set forth, in the Complaint in this action, in accordance with the terms and conditions of Defendants’ Rule 68 Offer of Judgment dated June 27, 2025 and filed as Exhibit A to Docket Number 28;

**WHEREAS**, on June 27, 2025, Plaintiff’s attorney having confirmed Plaintiff’s acceptance of Defendants’ Offer of Judgment (Dkt. No. 28);

It is **ORDERED, ADJUDGED, AND DECREED**, that judgment is entered in favor of Plaintiff ERVING MIGUEL MARTINEZ, in the sum of \$10,000.00, in accordance with the terms

and conditions of Defendants' Rule 68 Offer of Judgment dated June 27, 2025 and filed as Exhibit A to Docket Number 27. The Clerk of Court is respectfully directed to close this case.

**SO ORDERED:**

Dated: June 30, 2025  
New York, New York



Dale E. Ho

U.S.D.J.